

TRNSFD-OUT

**U.S. Bankruptcy Court
Northern District of California (Santa Rosa)
Adversary Proceeding #: 09-01186**

Assigned to: Judge Alan Jaroslovsky
Demand:

Date Filed: 12/23/09

Nature[s] of Suit: 01 Determination of removed claim or cause

Plaintiff

Solstice LLC

c/o Joseph Carcione, Jr.
Carcione, Cattermole, Dolinski, et al.
601 Brewster Ave., P.O. Box 3389
Redwood City, CA 94064

represented by **Joseph W. Carcione, Jr.**

Law Offices of Joseph W. Carcione Jr.
601 Brewster Ave.
P.O. Box 3389
Redwood City, CA 94064
(650) 367-6811
LEAD ATTORNEY

Joshua S. Markowitz

Carcione, Cattermole, Dolinski
601 Brewster Ave.
Redwood City, CA 94064
(650) 367-6811

Email: carcionelaw@yahoo.com

LEAD ATTORNEY

UNITED STATES BANKRUPTCY COURT
Northern District of California
I certify that this is a true, correct and full copy
of the original document on file in my custody.
Dated 1/27/2010
Gloria L. Franklin, Clerk of Court
by [Signature]
Deputy Clerk

V.

Defendant

Kos Graham

Unknown Address

represented by **Kos Graham**
PRO SE

Tim Wolff

Unknown Address

represented by **Tim Wolff**
PRO SE

Tim Weller

Unknown Address

represented by **Tim Weller**
PRO SE

Chad Morse

Unknown Address

represented by **Chad Morse**
PRO SE

James Kime

Unknown Address

represented by **James Kime**
PRO SE

Shay LLC

Unknown Address

represented by **Shay LLC**
PRO SE

Beale LLC

Unknown Address

represented by **Beale LLC**
PRO SE

Winston and Strawn LLP

101 California St. 39th Fl.
San Francisco, CA 94111

represented by **Winston and Strawn LLP**
PRO SE

Jonathan Cohen
Winston and Strawn LLP
101 California St. 39th Fl.
San Francisco, CA 94111

Novogradac and Company LLP
c/o Howard Garfield
Long and Levit LLP
465 California Street, Suite 500
San Francisco, CA 94104

Jon Krabbenschmidt
c/o Howard Garfield
465 California Street, Suite 500
San Francisco, CA 94104

Shay Kos
Unkown Address

represented by **Jonathan Cohen**
PRO SE

represented by **David P. Borovsky**
Long & Levitt LLP
465 California St 5th Fl
San Francisco, CA 94104
(415) 397-2222
Email: dborovsky@longlevit.com
LEAD ATTORNEY

Howard M. Garfield
Long and Levit LLP
465 California St. #500
San Francisco, CA 94104
(415) 397-2222
Fax : (415) 397-6392
LEAD ATTORNEY




represented by **David P. Borovsky**
(See above for address)
LEAD ATTORNEY

Howard M. Garfield
(See above for address)
LEAD ATTORNEY

represented by **Shay Kos**
PRO SE

Filing Date	#	Docket Text
12/23/2009	<u>1</u>	01 (Determination of removed claim or cause) Notice of Removal by Solstice LLC . Fee Amount \$250 . (Attachments: # <u>1</u> Supporting documents# <u>2</u> Supporting documents# <u>3</u> Supporting documents# <u>4</u> Supporting documents) (ap) Additional attachment(s) added on 12/30/2009 (kl). (Entered: 12/23/2009)
12/23/2009	<u>2</u>	Receipt of Adversary Filing Fee. Amount 250.00 from Long & Levit Llp. Receipt Number 10024250. (admin) (Entered: 12/23/2009)
12/23/2009	<u>2</u>	Notice of Related Adversary Proceedings. Filed by Defendants Jon Krabbenschmidt , Novogradac and Company LLP . (kl) (Entered: 12/30/2009)
12/23/2009	<u>3</u>	Certificate of Service (RE: related document(s) <u>1</u> Notice of Removal, <u>2</u> Notice of Related Adversary Proceedings). Filed by Defendants Jon Krabbenschmidt , Novogradac and Company LLP (kl) (Entered: 12/30/2009)
12/28/2009	<u>4</u>	Service List Filed by Defendants Jon Krabbenschmidt , Novogradac and Company LLP . (kl) (Entered: 12/30/2009)
12/30/2009	<u>5</u>	Notice of Hearing on Application for Removal and of Scheduling Conference (RE: related document(s) <u>1</u> Notice of Removal filed by Plaintiff Solstice LLC). Hearing scheduled for 1/25/2010 at 02:00 PM at Santa Rosa Courtroom - Jaroslovsky. . (Attachments: # <u>1</u> Certificate of Mailing by Clerk) (kl) (Entered: 12/30/2009)
12/31/2009	<u>6</u>	Stipulation and Order Extending Time to Respond to Complaint. (RE: related document(s) <u>1</u> Notice of Removal filed by Plaintiff Solstice LLC). (kl) (Entered: 12/31/2009)

12/31/2009	<u>7</u>	Ex Parte Motion for Order Granting Short-Term Exemption From E-Filing Requirements Pending Completion of Training Session Filed by Defendants Jon Krabbenschmidt , Novogradac and Company LLP . (kl) (Entered: 12/31/2009)
12/31/2009	<u>8</u>	Order Granting Ex Parte Motion for Order Granting Short-Term Exemption From E-Filing Requirements Pending Completion of Training Session.(Related Doc # <u>7</u>) (kl) (Entered: 12/31/2009)
01/13/2010	<u>9</u>	Plaintiff's Combined Opposition to Defendants' Motion to Transfer Venue of Removed Action Pursuant to 28 U.S.C. 1412; and to Defendants' Application for Removal Pursuant to 28 U.S.C. 1452, Filed by Plaintiff Solstice LLC. (Note: Related AP 09-1179). (ka) (court staff created link to document <u>1</u> Notice of Removal by Solstice LLC) Modified on 1/21/2010 (ka). (Entered: 01/13/2010)
01/13/2010	<u>10</u>	Declaration of Joshua S. Markowitz in Support of (RE: related document(s) <u>9</u> Opposition) Filed by Plaintiff Solstice LLC. (With Proof of Service) (ka) (Entered: 01/13/2010)
01/13/2010	<u>11</u>	Ex Parte Motion for Order Granting Short-Term Exemption from E-Filing Requirements Pending Completion of Training Session; Together With Declaration of Joshua S. Markowitz Filed by Plaintiff Solstice LLC . (ka) (Entered: 01/13/2010)
01/14/2010	<u>12</u>	Order Granting Ex Parte Motion for Order Granting Short-Term Exemption from E-Filing Requirements Pending Completion of Training Session (Related Doc # <u>11</u>). (ka) (Entered: 01/14/2010)
01/18/2010	<u>13</u>	Stipulated Order Setting Hearing on Motion to Transfer Venue Pursuant to 28 U.S.C. 1412 Without Further Briefing (RE: related document(s) <u>9</u> Plaintiff's Combined Opposition to Defendants' Motion to Transfer Venue of Removed Action Pursuant to 28 U.S.C. 1412; and to Defendants' Application for Removal Pursuant to 28 U.S.C. 1452 filed by Plaintiff Solstice LLC). (ka) (Entered: 01/19/2010)
01/18/2010	<u>3</u>	Hearing Set On (RE: related document(s) <u>9</u> Plaintiff's Combined Opposition to Defendants' Motion to Transfer Venue of Removed Action Pursuant to 28 U.S.C. 1412; and to Defendants' Application for Removal Pursuant to 28 U.S.C. 1452 filed by Plaintiff Solstice LLC). Hearing scheduled for 1/25/2010 at 02:00 PM at Santa Rosa Courtroom - Jaroslovsky. (ka) (Entered: 01/19/2010)
01/19/2010	<u>14</u>	<i>Joinder In Motion and Motion by Defendants Novogradac & Company LLP and Jon Krabbenschmidt to Transfer Venue of Removed Action Pursuant to 28 U.S.C. Section 1412; Supporting Memorandum of Points and Authorities</i> Filed by Defendant Novogradac and Company LLP (Borovsky, David) (Entered: 01/19/2010)
01/20/2010	<u>15</u>	<i>Joinder by Defendants Novogradac & Company LLC and Jon Krabbenschmidt in Winston & Strawn LLP and Jonathan Cohen's "Reply and Statement of Position in Support of Removal"</i> Filed by Defendant Novogradac and Company LLP (Borovsky, David) (court staff created link to document <u>1</u> Notice of Removal by Solstice LLC) Modified on 1/21/2010 (ka). (Entered: 01/20/2010)
01/21/2010	<u>16</u>	Notice of Hearing <i>On Motion To Transfer Venue Of Removed Action</i> Hearing scheduled for 1/25/2010 at 02:00 PM at Santa Rosa Courtroom - Jaroslovsky. Filed by Defendant Novogradac and Company LLP (Borovsky, David) (Entered: 01/21/2010)
01/25/2010	<u>3</u>	Hearing Held (RE: related document(s) <u>16</u> Notice of Hearing <i>On Motion To Transfer Venue Of Removed Action</i> Hearing scheduled for 1/25/2010 at 02:00 PM at Santa Rosa Courtroom - Jaroslovsky. Filed by Defendant Novogradac and Company LLP). (After Hearing; Transfer to Southern District of New York without prejudice) (Appearances: David Borovsky, Joshua Markowitz and John MacConaghy) (ta) (Entered: 01/26/2010)

01/25/2010		Hearing Held (RE: related document(s) <u>1</u> 01 01 (Determination of removed claim or cause) Notice of Removal by Solstice LLC . Fee Amount \$250 . (Attachments: # 1 Supporting documents# 2 Supporting documents# 3 Supporting documents# 4 Supporting documents).). (After Hearing: Off calendar - case transferred to So District of New York) (ta) (Entered: 01/26/2010)
01/27/2010	 <u>17</u>	Order Transferring Venue of Removed Action Pursuant to 28 U.S.C. § 1412 . (ka) (Entered: 01/27/2010)
01/27/2010	 <u>18</u>	Inter-District Transmittal Memo sent to Southern District of New York. (RE: related document(s) <u>1</u> Notice of Removal filed by Plaintiff Solstice LLC). (kl) (Entered: 01/27/2010)